GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:5400
ANSWERED ON:15.05.2007
TELEPHONE TAPING
Athawale Shri Ramdas

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the prior permission of Ministry of Home Affairs is essential for telephone taping;

(b) if so, the details thereof; and

(c) the number of cases in which Ministry of Home Affairs has given permission for phone taping during each of the last three years, State-wise?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL)

(a) to (c): In terms of section 5(2) of the Indian Telegraph Act, 1885 and the rules made under the said Act, the Union Home Secretary in the Government of India and the Secretary, in-charge of Home Department in the case of State Governments only can authorize interception of messages in the interest of sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order and for preventing incitement to the commission of an offence. There is a strict legal regime to ensure that this power is exercised only in such cases as are covered under the said provisions and the disclosure of details of such cases is not in the interest of national security.